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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/810,148

03/26/2004

Joseph Muller

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Tacoma, WA 98422

EXAMINER

RUBIN, BLAKE J

ART UNIT

PAPER NUMBER

4152

MAIL DATE

DELIVERY MODE

11/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/810,148

Applicant(s)

MULLER ET AL.

Examiner

Rubin Blake

Art Unit

4152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/26/2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 03/26/2004.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

DETAILED ACTION

1. Claims 1-14 are pending in this application.
2. This application is claiming benefit to provisional Application No. 60/458,363 filed on March 27, 2003.

Objections

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 18, 22, and 38. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

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4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claims 3 and 4 are rejected under 35 U.S.C. 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

6. With respect to claim 3, it is stated that the front-end server, "provides the information scanning service," which is contradictory to claim 1 which states the front-end server to be, "wirelessly linked to the handset so as to exchange information therewith."

7. With respect to claim 4, it is stated that the back-end server, "provides the wireless user information service," which is contradictory to claim 1 which states the back-end server is, "continuously updating the common database by scanning Internet web portals and content hosts."

8. It is presumed that the functionality of the front and back-end servers were inadvertently switched, and a reversal, maintaining consistency between claims 1, 3, and 5 would remedy the indefinite nature of the current claims.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chung Chan (Patent No US 6,996,387), hereinafter Chan, in view of Burton et al (Pub. No. 2002/0073107), hereinafter Burton.

11. With respect to claim 1, Chan discloses a wireless information system comprising a wireless communication handset (Col 3, lines 32-35), having a user menu which is area code driven (Col. 8, lines 47-50, Fig. 4), a scanner array connected wirelessly thereto and comprising a front-end server and a back-end server sharing a common database (Fig. 10), such front-end server being wirelessly linked to the handset as to exchange information therewith (Col. 7, lines 45-50; Fig. 3B), and the back end-end server continuously updating the common database by scanning the internet web portals and content hosts (Col. 11, lines 44-60; Fig. 6; Fig. 10). Chan fails to disclose the handset with applet object code therein, however Burton discloses a handset with an applet object driven user interface (Paragraph [0060]; Paragraph [0062], lines 1-7). It would have been obvious to one skilled in the art at the time the invention was made to combine Chan with Burton because applet objects increase the versatility of the menu driven applications on a computer, independent of the computer type and operating system.

12. With respect to claim 2, Chan discloses an applet object comprising the linked elements of a file interface, a user entry interface, a network interface, a display GUI interface, a TAPI interface, a menu interface, a sector location interface, a shell

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interface, and a position location interface, all of which operate in the Binary Runtime Environment for Windows (Col. 8, lines 27-40; Col. 15, lines 52-59; Fig. 4).

13. With respect to claim 3, Chan discloses a front-end server which runs on the Microsoft WindowsTM platform, comprises a service provider interface (Col. 2, lines 15-22; Fig. 3A), shares a common information database with the back-end server (Col. 16, lines 9-12; Fig. 10), and provides the information scanning service (Col. 11, lines 44-60; Fig. 6).

14. With respect to claim 4, Chan discloses a back-end server which runs on the Microsoft WindowsTM platform, comprising a windows sockets interface (Fig. 10), shares a common information database with the front-end server (Col. 16, lines 9-12; Fig. 10), and provides the wireless user information service (Col. 7, lines 45-50; Fig 3b).

15. With respect to claim 5, Chan discloses a menu comprising choices of home area code, current location, or other preferred area code (Col. 8, lines 52-59).

16. With respect to claim 6, Chan discloses an area code menu choice responded to with a further menu choice of city or other location within said area code (Col. 8, lines 32-36).

17. With respect to claim 7, Chan discloses a user menu comprising at least two levels, the first offering area code choices and the second level offering city and other location choices (Col. 8, lines 32-36).

18. With respect to claim 8, Chan discloses a handset chosen from the group comprising cellular, PCS, and wide-area wireless handsets (Col. 2, lines 36-42).

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19. With respect to claim 9, Chan discloses a method of providing information to wireless users comprising the steps of, the user inputting at least one menu choice from a wireless communications handset (Fig. 4), and then connecting wireless to a front-end server of a scanner array (Fig. 3A), the front-end server requesting and retrieving the requested information from the common database shared with a back-end server linked thereto and transmitting the information to the handset (Col. 7, lines 45-50; Fig. 3B; Fig. 10), and the back end server continuously updating the information in the common database so that it is accessible to the front-end server (Col. 11, lines 44-60; Fig. 6; Fig. 10). Chan fails to disclose the handset running an applet object to process the menu choices, however Burton discloses a handset with an applet object driven user interface (Paragraph [0060]; Paragraph [0062], lines 1-7). It would have been obvious to one skilled in the art at the time the invention was made to combine Chan with Burton because applet objects increase the versatility of the menu driven applications on a computer, independent of the computer type and operating system. With respect to claim 10, Chan discloses a method wherein the user makes menu choices based on area code (Col. 8, lines 26-34).

20. With respect to claim 11, Chan discloses a method where the user makes the menu choice by navigating through a plurality of menu levels (Col. 8, lines 40-47).

21. With respect to claim 12, Chan discloses a method wherein the wireless connection is routed through a communications tower, a mobile operator, and the internet (Col. 6, lines 24-31; Fig. 3A).

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22. With respect to claim 13, Chan discloses a method comprising the steps of user retrieving the saved information from the last session (Col. 4, lines 60-63).

23. With respect to claim 14, Chan discloses a method wherein the back-end server of the scanner array continuously updates the common database by scanning web portals and content servers (Col. 11, lines 44-60; Fig. 6; Fig. 10).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rubin Blake whose telephone number is (571) 270-3802. The examiner can normally be reached on M-R: 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nabil El-Hady can be reached on (571) 272-3963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BJR

10/30/07


NABIL M. EL-HADY
SUPERVISORY PATENT EXAMINER